

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IVAN RAY BLACK,

Plaintiff,

Civil Action No.
11-CV-13271

vs.

HON. BERNARD A. FRIEDMAN

EDWARD SOSNICK,

Defendant.

/

OPINION AND ORDER OF SUMMARY DISMISSAL

This is a purported civil rights case in which Plaintiff Ivan Ray Black, a state prisoner proceeding *pro se* and *in forma pauperis*, alleges that he is “being stolen from.” The Court summarily dismisses the Complaint, however, because Plaintiff has “struck out” pursuant to 28 U.S.C. § 1915(g), which precludes prisoners – unless they face an imminent danger of serious physical injury – from proceeding *in forma pauperis* if they have had three prior cases dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted. Plaintiff here has three such prior dismissals. See Black v. Corr. Officers, No. 10-CV-13368 (E.D. Mich. Sept. 9, 2010) (dismissal for failure to state a claim on which relief may be granted); Black v. Mich. Dep’t of Corr., No. 10-CV-12664 (E.D. Mich. July 15, 2010) (same); Black v. State of Mich., No. 10-CV-11483 (E.D. Mich. June 11, 2010) (complaint dismissed as “completely incomprehensible”). Because Plaintiff does not appear to allege that he faces imminent danger, or any danger for that matter, § 1915(g) precludes this lawsuit.

Accordingly, the case is dismissed.¹

SO ORDERED.

Dated: August 11, 2011
Detroit, Michigan

S/Bernard A. Friedman _____
HON. BERNARD A. FRIEDMAN
UNITED STATES DISTRICT JUDGE

¹ The Court would ordinarily dismiss this case without prejudice; however, because Plaintiff seeks monetary relief solely against a defendant who is a state court judge and therefore immune from such relief, see Pierson v. Ray, 386 U.S. 547 (1967), the Court dismisses the case with prejudice.